

**MINUTES**  
**CONNECTICUT HOME INSPECTION LICENSING BOARD**  
165 CAPITOL AVENUE  
HARTFORD, CONNECTICUT 06106

**MAY 7, 2009**

The Connecticut Home Inspection Licensing Board met on Thursday, May 7, 2009 at 9:38 A.M. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Board Members Present: Susan A. Connors, Esq., Chairperson (*Public Member*)  
Richard J. Kobylenski (*Home Inspector*)  
James J. O'Neill (*Public Member*)  
Bruce D. Schaefer (*Home Inspector*)  
William Stanley, Jr. (*Home Inspector*)  
Lawrence R. Willette (*Home Inspector*)

Board Members  
Not Present: Eric Curtis (*Public Member*)  
David B. Sherwood (*Home Inspector*)

Board Member Vacancies: None

Board Counsel: Not present, as requested.

DCP Staff Present: Robert M. Kuzmich, License and Applications  
Specialist  
Vicky Bullock, Administrative Hearings Attorney  
Keith Lombardi, Investigator

Others Present: Stephen Gladstone, Casey, O'Malley Associates

The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Richard M. Hurlburt, Director, at (860) 713-6135.

**1. Call to order by Chairperson Susan Connors.**

Ms. Connors called the meeting to order at 9:38 AM.

**2. Review of minutes of the February 5, 2009 meeting of the Board.**

*The Board voted, unanimously, to approve the minutes as submitted.  
(Kobylenski/Stanley)*

**3. Review of Final Decisions and Orders.**

Chairperson Susan A. Connors acknowledged that there are no Final Decisions and Orders before the Board today.

**4. Applications for review.**

Chairperson Susan A. Connors acknowledged that there are no applications before the Board today.

**5. Applicants appearing before the Board.**

Chairperson Susan A. Connors acknowledged that there are no applicants appearing before the Board today.

**6. Formal Hearings to be held.**

Chairperson Susan A. Connors acknowledged that there are no Formal Hearings scheduled for today's meeting.

**7. Old Business**

**A. Home Inspection Course Application for Pre-Licensing;**

*Course:* National Online Home Inspection Course

School: Kaplan Professional Schools Inspection Training Associates  
1050 Los Vallecitos Boulevard Suite 109  
San Marcos, California 92069

The Department will contact the education provider to determine whether or not they still wish to apply for this online course. It was brought to the Board's attention earlier at today's meeting that there is the possibility that this company may be out of business.

B. Continuation of discussion concerning the Regulation for Home Inspectors; specifically continuing education course subject matter. Mr. Kuzmich noted that he was advised by his Director that the Department can, through this Board, implement a policy concerning limiting course subject matter, by percentage, to that which is covered by a Home Inspection and that which is not. Mr. Kuzmich distributed an example of the structure and format the Department's Real Estate Division currently uses for continuing education. He also reminded the Board that the Department will not, at present, be implementing any of their proposed regulation changes concerning continuing education.

The Board noted that the mandated 20 hours of continuing education for home inspectors during each licensing cycle includes a provision that requires at least three of those hours be instruction in "current home inspection legislation, licensing laws and regulations". In the opinion of the vast majority of home inspectors, and the licensing board, this requirement has turned out to be a waste of time and money since the laws and regulations governing home inspection have not changed significantly since they were passed almost a decade ago. This requirement for instruction in the laws and regulations governing home inspections is also a mandated part of the curriculum for all pre-licensing home inspection courses in Connecticut, so all new home inspectors are fully versed in this material prior to receiving their license.

At the November 8, 2007 meeting of the board, after extensive discussion at prior board meetings, and in recognition of the growing complexity of residential construction, the board voted to increase the required number of hours of continuing education for home inspectors from 20 to 24 hours. They also voted to eliminate the mandate for Connecticut law instruction during each license cycle. If implemented, this change would have increased the technical education per license cycle from 17 to 24 hours. In addition, the Board would like to structure the content of continuing education by proposing that 75% of the course subject matter be in subjects covered by the home inspection itself as defined in the law. The remaining 25% can be taken in related subject matter not specifically addressed by the home inspection.

The Board understands that in light of current economic conditions, the Commissioner does not want to impose the additional financial burden of increased education training at this time. They believe that a compromise approach would be to not increase the total number of hours, but still eliminate the mandated Connecticut law instruction during each license cycle. Eliminating this mandate would, in effect, increase the technical education requirement by three hours, from 17 to 20 with no additional cost to the inspector. If in the future, there are significant changes to the statute or regulation that justify class room time to explain, the Board could require inspectors to take a specific class during a license cycle to get current on the new laws or regulations.

The Board asked that the Department send a letter to the Commissioner which communicates their suggestions.

## **8. New Business**

A. E-Mail correspondence from Mr. Glen Garrity, Sr., concerning Internship requirements; for discussion by the Board. Mr. Garrity corresponded with the Department by e-mail concerning his efforts to find supervision to complete the 100 inspection requisite required as a part of the Home Inspection Internship Program. He was told by members of a particular Home Inspection Association that supervision costs by licensed Home Inspectors would be in the thousands of dollars in addition to the cost of the pre-licensing course. Mr. Garrity believes that the State should make this supervision requirement more obtainable and reasonable in terms of fees. He also questions the ethics and possible conflicts of interest in the law, as written, which governs Home Inspectors.

The Board stated that any Connecticut licensed Home Inspector can train an Intern. The offer to provide such training is not exclusive to the Board Members of any one association. They speculated that, perhaps, he was misled or he simply misunderstood what he was told.

Further, a Connecticut licensed Home Inspector training an Intern is also likely accepting liability for the Intern's work, not only from a customer during the intern period but also from a possible claim of inadequate training brought on by the intern after he/she gets sued down the road by their customer. While there are other precarious concerns, these alone seem to justify reasonable compensation for the training. What's reasonable is the real question.

There is presently nothing within the Board's Regulation that gives them the authority to regulate the fee charged by the supervising Home Inspector. The Board believes that that it is outside the scope of their province unless they determine that the Home Inspector is somehow acting unethically.

The Board also discussed several options that Mr. Garrity may want to consider including, but not limited to, contacting Home Inspectors who have, in the past, expressed an interest in supervising interns. The Department has a list of such individuals and can provide this to him. It was noted that the Department does not, in any way, endorse these supervisors. This list is provided strictly as a courtesy.

It was noted that Mr. Garrity may also wish to contact current or past Home Inspector Interns to ascertain the availability of supervisors. In addition, it was suggested that he also contact Professional Home Inspection Organizations such as the American Society of Home Inspectors, (ASHI), and the Connecticut Association of Home Inspectors (CAHI) for potential supervisors.

Ms. Vicky Bullock volunteered to send this information to Mr. Garrity in writing with the assistance of Mr. Robert Kuzmich.

B. List of Home Inspection Continuing Education Providers registered with PSI; for the Board's information. It was noted that all providers of continuing education must first register with PSI in order for their participants to get credit for the course in theory.

## **9. Other Business**

A. Connecticut Occupational Trades Portion Pass Report; for the Board's information. The Board acknowledged this information

B. Presentation by Stephen Gladstone representing Casey, O'Malley Associates regarding Pre-Licensing and Continuing Education Course for Home Inspectors. Mr. Gladstone stated that Kaplan, the former school he and others worked for, has closed. He and his others have formed a new school called Casey O'Malley Associates and are offering two pre-licensing courses; one sixty hour course and one ninety hour course. The school also is offering 46 two and three hour continuing education courses and will be located in Stamford. The location has been approved by all local officials.

Mr. Gladstone presented the Board with the complete course curriculum for both the pre-licensing and continuing education programs. After some

discussion, it was decided that Mr. Stanley and Mr. Schaefer will review the course curriculum for the pre-licensing programs. It was noted that many of the courses are very similar in content to the former Kaplan courses. Ms. Connors noted that the review of these courses is a substantial time commitment on the part of the Board which requires an in-depth review to determine that they meet the criteria. If both Mr. Stanley and Mr. Schaefer can complete the review prior to the Board's next meeting in August, then perhaps an e-mail can be sent indicating that the courses are compliant.

It was also determined that Mr. Gladstone's continuing education courses will be reviewed by the Department staff as has been done in the past. In light of the upcoming end of the current license period for Home Inspectors, the review of the Home Inspection Connecticut Law Module shall be done as soon as possible to accommodate any licensee's that need to fulfill this part of the continuing education requisite. *As such, the Board voted, unanimously, to have the Department review all the continuing education courses and the Board will review the pre-licensing courses presented by Mr. Gladstone on behalf of Casey O'Malley Associates. (Kobylenski/O'Neill)*

#### C. Report from the Department's Trade Practices Division concerning Home Inspection Licensing Board Issues.

Mr. Keith Lombardi was introduced to the Board as the Department's Investigator who gave the Board a report on current open complaints the Department is investigating and closed cases that have been resolved; all concerning Home Inspection. The Board discussed general procedures followed by the Department in their investigations. Mr. Schaefer noted that compared to the amount of transactions per year involving home inspections, the statistics shown relative to the number of complaints received are very low which pleases the Board.

In response to a question from Mr. Willette, Mr. Lombardi explained that an evaluation of evidence associated with the complaint is done to determine whether a charge can be brought forward. If so, the complaint goes to the Legal Department which determines whether or not a Formal Hearing is needed to go before the Board.

Mr. Lombardi explained the process by which a complaint is filed with the Department. In general terms it was noted that most consumers are looking to be "made whole" rather than protect future consumers from having the same bad experience as they did. Mr. Willette discussed an ethical issue concerning a Real Estate Company which subscribes to an MLS service which is paid for by them. This Real Estate Company has solicited a Home Inspection Company

to subsidize the payment of the MLS program in exchange for referrals from the agents to the company. It was determined that a complaint of this nature can be sent to Ms. Bullock and she would make a determination where in the Department it goes from there.

D. Any correspondence and/or business received in the interim.

No items were discussed.

*The meeting adjourned at 11:37 AM. (Stanley/Willette)*

***Note: the next regular meeting of the Board is scheduled for August 6, 2009 at 9:30 AM in Room No. 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.***

Respectfully submitted,

Robert M. Kuzmich, R.A.  
License and Applications Specialist